

REMARKS

In response to the above Office Action, all of claims 1-11 have been cancelled and replaced by new claims 12-20 to more accurately and completely claim the apparatus of the present invention. Support for new main claim 12 can be found in former claim 1 and on page 6, line 4 to page 7, line 23 and on page 9, line 7 to page 10, line 3. Support for claims 13-20 which are dependent from claim 12 can be found in former claims 2, 3, 5-9 and 11, respectively.

The withdrawal of all previous grounds of rejection of the claims is appreciated.

In the above Office Action, the Examiner rejected claim 11 under 35 U.S.C. §102(b) for being anticipated by U.S. Patent 3,813,201 to Frederick or U.S. Patent No. 4,028,450 to Gould. Now that claim 20, formerly claim 11, is dependent from the apparatus of claim 12 and is not drawn to just a metal mold, it is believed these rejections are moot.

In addition, claim 1 was rejected under 35 U.S.C. §103(a) for being obvious over U.S. Patent No. 3,599,282 to Meyers et al. in view of U.S. Patent No. 5,354,194 to Kresak. Claims 2, 4-5 and 9-10 were rejected under §103(a) for being obvious over Makiguichi (JP 2000-190049) in view of U.S. Patent No. 5,330,265 to Keating, Jr. et al. and claims 3, 6-8 further in view of U.S. Patent No. 4,448,736 to Emery et al.

Now that claims 13-19, formerly claims 2, 3, 5-9, are all dependent from the apparatus of claim 12, it is believed the rejections based on Makiguchi, Keating, Jr., et al. and Emery et al. are moot. Thus only the Meyers and Kresak references and their relation to new main claim 12 will be discussed.

From a brief review of Meyers and Kresak, it can be seen that they teach nothing similar to the apparatus of claim 12, either considered alone or in combination.

Meyers et al. discloses an apparatus for molding foam articles having a series of tanks 7 that contain foamable ingredients, a pump 8 connected to each tank 7, a pouring head 5, which can be filled with the foamable ingredients by the pump 8, and molds 17 placed on a base, wherein the foamable ingredients are injected into the molds 17 from the pouring head 5 by opening a solenoid valve mechanism 20.

There is no disclosure of, for example, the claimed cylinders, guide rods, lifting and lowering frame, the separable metal mold and the relationship of its lower and upper parts to the frame and guide rods, or the mixing fan mechanism, all as now set forth in claim 12.

Nor does Kresak disclose any of these features. Kresak may disclose a mechanism for pushing a mold out of a metal mold, but it does not disclose the now claimed "pins for pushing the mold out, which pins are inserted into the upper part of the mold." Rather in Kresak, a pick up plate 27 is fitted with a plurality of vacuum cups 28, which is moved into a mold having mold halves 13 and 14 to retrieve a molded product.

Since M.P.E.P. §2143.02 requires that all of the claimed elements must have been known in the art to support a conclusion of obviousness and the combination of Meyers and Kresak does not show all of the claimed elements, it is submitted that neither the invention of claim 12 nor of claims 13-20 dependent therefrom can be considered obvious over this combination of references.

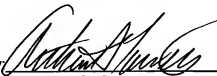
It is believed claims 12-20 are now in condition for allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By 
Arthur S. Garrett
Reg. No. 20,338
Tel: 202 408 4091

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